

REMARKS

Claims 3 – 5, 7, 9 – 11, 33 – 36, 39, 40, 44 – 47 and 49 – 51 remain in the application. Claims 47 and 49 – 51 have been allowed. Claims 1, 3 – 7, 9 – 11 and 38 – 42 stand finally rejected. Claims 32 – 36 and 43 – 46 are objected to, but are indicated to encompass patentable subject matter. Claims 2, 8, 12 – 31 and 48 are previously canceled (claims 12 – 31 without prejudice as being drawn to a non-elected invention). Claims 1, 6, 37 and 38 are canceled herein. Further, claims 32 and 43 are canceled herein and rewritten as new claims 52 and 53. Claims 3, 4, 7, 33, 39, 40 and 44 are amended herein. No new matter is added.

Claims 32 – 36, and 43 – 46 are objected to for depending from rejected base claims, but are indicated to be allowable, if rewritten in independent form. Responsive thereto, claims 32 and 43 are rewritten in independent form by this proposed amendment as new claims 52 and 53. In a telephonic interview of April 3, 2007, the Examiner indicated that an Examiner's amendment would not be appropriate because previously presented (in the Amendment After Final filed March 9, 2007) claims 52 and 53 did not include the recitations of intervening claims.

However, upon review, the applicants note that claims 52 and 53 did indeed include the recitations of the intervening claims. Canceled claim 6 recited "wherein said plurality of devices includes a plurality of field effect transistors (FETs) and said PN junction is a FET body to source/drain junction." In addition to the recitations of claims 1 and 32, claim 52 recites "a plurality of devices including a plurality of field effect transistors (FETs)" and "wherein said PN junction is a P-type silicon body layer to source/drain junction in a NFET and said NFET is in a CMOS inverter," at lines 2 and 5 – 6, respectively. Therefore, by this proposed amendment claim 52 is claim 32 rewritten in independent form including the recitations of the independent claim (1) and of all the intervening dependent claims (claim 6).

Similarly, in addition to the recitations of claims 38 and 43, claim 52 recites "CMOS silicon on insulator (SOI) integrated circuit (IC) chip" (claim 42) and "wherein said PN junction is P-type silicon body layer to source/drain junction in said NFET"

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(claim 41) at lines 1 and 6 – 7, respectively. Therefore, by this proposed amendment claim 53 is claim 43 are rewritten in independent form including the recitations of the independent claim (38) and of all the intervening dependent claims (41 and 42).

Therefore, new claims 52 and 53 are allowable. No new matter is added.

Also, all remaining claims are amended to depend from new claims 52 and 53, respectively. Since all claims depending from claims 52 and 53 are allowable, claims 3 – 5, 7, 9 – 11, 33 – 36, 39, 40 and 44 – 46 also are allowable. Entry of the amendment, reconsideration and withdrawal of the objection to claims 3 – 5, 7, 9 – 11, 33 – 36, 39, 40, 52 and 53 and allowance is respectfully requested.

The applicants thank the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance for the amendment to the claims, the applicants respectfully request that the Examiner enter the amendment, reconsider and withdraw the objection to claims 52, 33 – 36, and 53, 44 – 46, and the rejection of claims 3 – 5, 7, 9 – 11 and 39, 40 under 35 U.S.C. §103(a), and allow the application to issue.

Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 50-0510 and advise us accordingly.

Respectfully Submitted,

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(Date)

/Charles W. Peterson, Jr. #34,406/
Charles W. Peterson, Jr.
Registration No. 34,406

Customer No. 33,233
Law Office of Charles W. Peterson, Jr.
Suite 100
11703 Bowman Green Drive
Reston, VA 20190
Telephone: (703) 481-0532
Facsimile: (703) 659-1485